

BROUSE McDOWELL L.P.A.
 1001 Lakeside Avenue, Suite 1600
 Cleveland, Ohio 44114
 Telephone: (216) 830-6830
 Facsimile: (216) 830-6807
 Marc B. Merklin (MM8195)
 Alan M. Koschik (AK5891)

HERRICK, FEINSTEIN LLP
 2 Park Avenue
 New York, NY 10016
 Telephone: (212) 592-1400
 Facsimile: (212) 592-1500
 Joshua J. Angel (JA-3288)
 Paul Rubin (PR-2097)

Attorneys for Appellant,
 The Goodyear Tire & Rubber Company

UNITED STATES DISTRICT COURT
 SOUTHERN DISTRICT OF NEW YORK

----- X	
In re:	:
	:
DANA CORPORATION, <i>et al.</i> ,	:
	:
Debtors.	:
	:
	:
----- X	
	:
THE GOODYEAR TIRE & RUBBER	:
COMPANY,	:
	:
Appellant,	:
	:
vs.	:
	:
DANA CORPORATION, <i>et al.</i> ,	:
	:
Appellee.	:
	:
----- X	

Chapter 11 Case No. 06-10354 (BRL)
 (Jointly Administered)

Case No. 07-CV-06169 (DAB)
 (Bankruptcy Appeal)
 Judge Deborah A. Batts

NOTICE OF APPELLANT'S MOTION FOR SUBSTITUTION OF PARTIES
PURSUANT TO FEDERAL RULE OF CIVIL PROCEDURE 25(c)

PLEASE TAKE NOTICE, that upon the annexed motion (“Motion”) dated August 31, 2007, by The Goodyear Tire & Rubber Company (“Goodyear”) and Veyance Technologies, Inc., (“Veyance” or collectively with Goodyear, the “Movants”), by their counsel, Brouse McDowell L.P.A. and Herrick, Feinstein LLP, the undersigned will move this Court before United States District Judge Deborah A. Batts, at the United States District Court for the Southern District of New York, 500 Pearl St., Courtroom 24B, New York, New York 10007, for entry of an order, pursuant to Rule 25(c) of the Federal Rules of Civil Procedure, substituting Veyance for Goodyear as appellant in the above-captioned case *nunc pro tunc* to August 31, 2007, and for the case caption to be amended accordingly .

PLEASE TAKE FURTHER NOTICE, that you need not appear or respond to this Motion if you do not contest or object to the relief sought in the Motion.

PLEASE TAKE FURTHER NOTICE that responses to the Motion, if any, must be served and filed in accordance with Local Civil Rule 6.1(b).

New York, New York
August 31, 2007

HERRICK, FEINSTEIN LLP

By /s/ Frederick E. Schmidt
Frederick Schmidt (FS-5277)
2 Park Avenue
New York, NY 10016
Phone: 212.592.1400

BROUSE McDOWELL L.P.A.
 1001 Lakeside Avenue, Suite 1600
 Cleveland, Ohio 44114
 Telephone: (216) 830-6830
 Facsimile: (216) 830-6807
 Marc B. Merklin (MM8195)
 Alan M. Koschik (AK5891)

HERRICK, FEINSTEIN LLP
 2 Park Avenue
 New York, NY 10016
 Telephone: (212) 592-1400
 Facsimile: (212) 592-1500
 Joshua J. Angel (JA-3288)
 Paul Rubin (PR-2097)

Attorneys for Appellant,
 The Goodyear Tire & Rubber Company and
 Veyance Technologies, Inc.

UNITED STATES DISTRICT COURT
 SOUTHERN DISTRICT OF NEW YORK

-----	X	
In re:	:	
	:	Chapter 11 Case No. 06-10354 (BRL)
DANA CORPORATION, <i>et al.</i> ,	:	(Jointly Administered)
	:	
Debtors.	:	
	:	
-----	X	

	:	
THE GOODYEAR TIRE & RUBBER	:	
COMPANY,	:	
	:	Case No. 07-CV-06169 (DAB)
Appellant,	:	
	:	(Bankruptcy Appeal)
vs.	:	
	:	Judge Deborah A. Batts
DANA CORPORATION, <i>et al.</i> ,	:	
	:	
Appellee.	:	
	:	
-----	X	

APPELLANT'S MOTION FOR SUBSTITUTION OF PARTIES

PURSUANT TO FEDERAL RULE OF CIVIL PROCEDURE 25(c)

The Goodyear Tire & Rubber Company ("Goodyear") and Veyance Technologies, Inc. ("Veyance"), by their attorneys, Brouse McDowell L.P.A. and Herrick, Feinstein LLP, as and for their motion (the "Motion") for entry of an order, substantially in the form annexed hereto as Exhibit "A", substituting Veyance for Goodyear as the appellant in these proceedings, respectfully allege as follows:

1. On July 31, 2007, while this appeal was pending, Goodyear completed a corporate transaction in which substantially all of the assets of its Engineered Products Division were sold to Veyance, an independent entity.
2. Goodyear's claims that gave rise to the underlying Bankruptcy Court motion, the denial of which is the subject of this appeal, were transferred to Veyance as part of that transaction.
3. Simultaneously herewith, Veyance is filing its brief on appeal. Accordingly, Veyance respectfully requests that the substitution be granted *nunc pro tunc* to August 31, 2007 (i.e., the date on which the brief of the appellant is due in this case).

WHEREFORE, Goodyear and Veyance respectfully request that the Court enter an order substituting Veyance for Goodyear as Appellant in this action pursuant to Rule 25(c) of the Federal Rules of Civil Procedure.

DATED: August 31, 2007

Respectfully submitted,

/s/ Alan M. Koschik

Marc B. Merklin (MM8195)
Alan M. Koschik (AK5891)
BROUSE MCDOWELL L.P.A.
1001 Lakeside Avenue, Suite 1600
Cleveland, Ohio 44114
Telephone: (216) 830-6830
Facsimile: (216) 830-6807
Email: mmerklin@brouse.com
Email: akoschik@brouse.com

and

/s/ Paul Rubin

Joshua J. Angel (JA-3288)
Paul Rubin (PR-2097)
HERRICK, FEINSTEIN LLP
2 Park Avenue
New York, NY 10016
Telephone: (212) 592-1400
Facsimile: (212) 592-1500

*Attorneys for Appellant,
The Goodyear Tire & Rubber Company and
Veyance Technologies, Inc.*